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26 (new). The transgenic plant of any one of claims 8, 9, 10, 21, 22, 23, or 24 wherein the transgenic and the progenitor plants thereof are selected from the group consisting of *Arabidopsis*, maize, wheat, rice, soybean, tomato, tobacco, carrots, potato, sugar beets, sunflower, yam, rape seed, and petunia.

REMARKS

The specification has been amended to update the priority information. A marked-up version of the amended paragraph of the specification, with additions indicated by underlining and deletions indicated by brackets, is provided herewith as Exhibit A. The information added does not constitute new matter.

The Examiner has required an election under 35 U.S.C. § 121 of one of the following inventions:

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| Group I | Claims 1-6 drawn to methods of producing a transgenic plant having an improved agronomic or nutritional characteristic. |
| Group II | Claims 8-15 drawn to transgenic plants and progeny comprising a gene encoding a nitrogen assimilation/metabolism enzyme. |
| Group III | Claims 16-18 drawn to a method of producing a transgenic plant having a suppressed level of glutamine synthetase activity. |
| Group IV | Claims 19-20 drawn to a method of producing a plant with a suppressed level of asparagine synthetase. |

In addition to election of one of the above restriction groups, the Examiner required a further species election of one of the enzymes listed in claims 1, 4, 6, 8, 11, 16 and 18.

In response to the Restriction Requirement, Applicants elect to pursue the subject matter of the claims of Group II, claims 8-15, drawn to transgenic plants and progeny comprising a nucleic acid encoding a nitrogen assimilation/metabolism enzyme, classified in class 800, subclass 298. Further, in response to the species election, the species of glutamate

2-oxoglutarate aminotransferase enzyme is elected. Attorneys for the Applicants note that upon allowance of a generic claim, they will be entitled to a reasonable number of additional species.

By the amendment made herein, non-elected claims 1-7, 11-13, and 16-20 have been canceled without prejudice to pursue the subject matter of the non-elected claims in other applications.

Claims 8, 14, and 15 have been amended and new claims 21-26 added to clarify the elected invention. All these claims to the extent directed to plants expressing glutamate 2-oxoglutarate aminotransferase enzyme are directed to the elected invention. A marked-up version of the claim amendments, with additions indicated by underlining and deletions indicated by brackets, is provided herewith as Exhibit B. The new and amended claims are fully supported in the specification as originally filed. For example, support for the new claims 21 and 23 can be found at page 22, line 28 of the specification as filed. Support for new claims 22 and 24 can be found at page 14, lines 10-24. Support for new claim 25 can be found at page 22, lines 21-30 of the specification as filed. Support for new claim 26 can be found at page 31, lines 32-35. No new matter has been added.

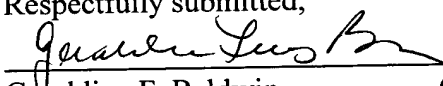
Correction of Inventorship

Submitted herewith is a Request under 37 C.F.R. § 1.48(a) to name the correct inventors together with all the necessary documents.

Applicants respectfully request that the present request, amendment and remarks be made of record in the instant application. An early allowance of the application is earnestly requested. Please charge the required fee, as estimated on the accompanying amendment fee transmittal sheet, to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Date: October 3, 2002

Respectfully submitted,


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Enclosures